

Oct-28-04 13:51

From:LAHIVE & COCKFIELD, LLP

6177424214

T-892 P.01/08 F-127

RECEIVED
CENTRAL FAX CENTER

OCT 28 2004

FAX TRANSMISSION

DATE: October 28, 2004

PTO IDENTIFIER: Application Number 10/024955-Conf. #8377

Patent Number

Inventor: Wayne R. THOMAS et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

Jeanne M. DiGiorgio

PHONE: (617) 227-7400

Attorney Dkt. #: IMI-032CP2DV

PAGES (Including Cover Sheet): 8

CONTENTS: Certificate of Transmission under 37 CFR 1.8 (1 page);
Amendment Transmittal (1 page in duplicate); and
Amendment and Response to Final Office Action (5 pages).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on October 28, 2004
Date

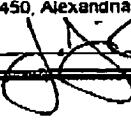

Signature

Jeanne M. DiGiorgio
Typed or printed name of person signing Certificate

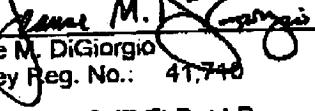
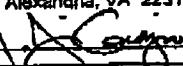
Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper

Certificate of Transmission under 37 CFR 1.8 (1 page);
Amendment Transmittal (1 page); and
Amendment and Response to Final Office Action (2 pages)

OCT 28 2004

| AMENDMENT TRANSMITTAL LETTER | | | | Docket No. IMI-032CP2DV | |
|---|----------------------------------|--|---------------------------------------|----------------------------|------|
| Application No. 10/024955-Conf. #8377 | Filing Date December 19, 2001 | Examiner Patricia A. Duffy | Art Unit 1645 | | |
| Applicant(s): Wayne R THOMAS et al. | | | | | |
| Invention: A HOUSE DUST MITE ALLERGEN, DER F VII, AND USES THEREFOR | | | | | |
| TO THE COMMISSIONER FOR PATENTS | | | | | |
| Transmitted herewith is an amendment in the above-identified application | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| Total Claims | 5 | Highest Number Previously Paid - 20 = | Number Extra Claims Present x | Rate | 0.00 |
| Independent Claims | 2 | - 3 = | x | | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): 0.00 | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00 | | | | | |
| <input checked="" type="checkbox"/> Large Entity | | | <input type="checkbox"/> Small Entity | | |
| <input type="checkbox"/> No additional fee is required for this amendment. | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> Credit any overpayment. | | | | | |
| <input type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. | | | | | |
|  | | | Dated: <u>October 28, 2004</u> | | |
| Jeanne M. DiGiorgio Attorney Reg. No 41740 | | | | | |
| LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400 | | | | | |
| <p>I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308 at MS AF, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on the date shown below.</p> <p>Dated: <u>October 28, 2004</u> Signature:  (Jeanne M. DiGiorgio)</p> | | | | | |

OCT 28 2004

| | | | | | |
|--|---|-----------------------------------|------------------|----------------------------|--|
| AMENDMENT TRANSMITTAL LETTER | | | | Docket No. IMI-032CP2DV | |
| Application No. 10/024955-Conf. #8377 | Filing Date December 19, 2001 | Examiner Patricia A. Duffy | Art Unit 1645 | | |
| Applicant(s): Wayne R. THOMAS et al. | | | | | |
| Invention: A HOUSE DUST MITE ALLERGEN, DER F VII, AND USES THEREFOR | | | | | |
| TO THE COMMISSIONER FOR PATENTS | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | | |
| Total Claims 5 | - 20 = | X | 0.00 | | |
| Independent Claims 2 | - 3 = | X | 0.00 | | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): <input type="checkbox"/> 0.00 | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: <input type="checkbox"/> 0.00 | | | | | |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity | | | | | |
| <input checked="" type="checkbox"/> No additional fee is required for this amendment | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____ A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached | | | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed. | | | | | |
| <input checked="" type="checkbox"/> Credit any overpayment. | | | | | |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. | | | | | |
| Dated: <u>October 28, 2004</u> | | | | | |
|  Jeanne M. DiGiorgio Attorney Reg. No.: 41,740 | | | | | |
| LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400 | | | | | |
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. | | | | | |
| Dated: <u>October 28, 2004</u> Signature:  (Jeanne M. DiGiorgio) | | | | | |

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Printed: October 29, 2004

Signature:

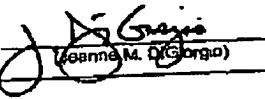
(Jeanne M. DiGiorgio)

CENTRAL FAX CENTER

OCT 28 2004

Docket No.: IMI-032CP2DV
(PATENT)

I hereby certify that this correspondence is being facsimile transmitted to the
Patent and Trademark Office, facsimile no (703) 872-9308 at MS AF,
Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on the
date shown below

Dated: October 28, 2004 Signature: 

Deanne M. DiGiorgio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Thomas et al.

Serial No.: 10/024955

Filed: December 19, 2001

For: *A HOUSE DUST MITE ALLERGEN, DER F VII,
AND USES THEREFOR*

Attorney Docket No.: IMI-032CP2DV

Group Art Unit: 1645

Examiner: Patricia A. Duffy

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION
PURSUANT TO 37 C.F.R. §1.116

Dear Sir:

This communication is in response to the Final Office Action dated August 11, 2004. Please amend the above identified application as follows.

Amendments to the claims are reflected in the listing of claims which begins at page 2 of this communication.

Remarks/Arguments begin at page 3 of this communication.